

# HOUSE BILL No. 1454

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-15-2.5.

**Synopsis:** Pre-divorce counseling. Requires the parent of a minor to attend a class on the effect of divorce on children before a dissolution of marriage is granted. (The introduced version of this bill was prepared by the interim study committee on marriage and family building initiatives.)

**Effective:** July 1, 2004.

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January 14, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1454

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 31-15-2.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]:

4 **Chapter 2.5. Classes on the Effect of Divorce on Children**

5 **Sec. 1. For purposes of this chapter, "domestic violence"**  
6 **includes conduct that is an element of an offense under IC 35-42 or**  
7 **a threat to commit an act described in IC 35-42 by a spouse.**

8 **Sec. 2. This chapter applies to persons filing for a dissolution of**  
9 **marriage if:**

- 10 (1) the parties are the parents of a minor;  
11 (2) either party is the legal custodian of a minor at the time of  
12 filing for the dissolution of marriage; or  
13 (3) the wife is pregnant and, after the child is born, the  
14 husband would be the child's father under law.

15 **Sec. 3. Except as provided in section 6 of this chapter, the**  
16 **parties to a dissolution of marriage action shall complete, either**  
17 **together or separately, a divorce effects program.**



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1       **Sec. 4. A divorce effects program must cover all the following**  
 2 **subjects:**

- 3       **(1) The effects on a minor, including:**  
 4           **(A) developmental stages of the minor;**  
 5           **(B) responses to divorce;**  
 6           **(C) symptoms of maladjustment to divorce and response to**  
 7           **maladjustment; and**  
 8           **(D) education or counseling options for the minor.**  
 9       **(2) The effects on parties to the action, including:**  
 10           **(A) parenting skills;**  
 11           **(B) communication skills;**  
 12           **(C) conflict resolution skills;**  
 13           **(D) money management skills;**  
 14           **(E) emotional adjustment, family adjustment, financial**  
 15           **adjustment, and work adjustment techniques;**  
 16           **(F) stress reduction;**  
 17           **(G) parallel and cooperative parenting techniques;**  
 18           **(H) reconciliation and counseling options;**  
 19           **(I) remarriage issues; and**  
 20           **(J) substance abuse information and referral.**

21       **Sec. 5. A provider of a divorce effects program shall issue a**  
 22 **certificate to each individual who completes the program,**  
 23 **certifying that the program has been completed.**

24       **Sec. 6. A court may issue an order for dissolution of marriage**  
 25 **without proof of completion of the divorce effects program**  
 26 **required by this chapter if:**

- 27           **(1) a party to the marriage files a sworn statement stating that**  
 28           **the party is a victim of domestic violence by the other party;**  
 29           **or**  
 30           **(2) the court determines and makes a finding that there is**  
 31           **good cause for not requiring the completion of the program.**

32       **Sec. 7. A court may either provide the classes or contract for**  
 33 **provision of the classes. Qualified instructors for the divorce effects**  
 34 **program may include the following:**

- 35           **(1) A psychologist licensed under IC 25-33-1.**  
 36           **(2) A clinical social worker licensed under IC 25-23.6-5.**  
 37           **(3) A marriage and family therapist licensed under**  
 38           **IC 25-23.6-8.**  
 39           **(4) A mental health counselor licensed under IC 25-23.6-8.5.**  
 40           **(5) A member of the clergy of a religious organization.**  
 41           **(6) A school counselor, if the school counselor has relevant**  
 42           **training.**



1       **Sec. 8. Payment for a divorce effects program shall be made**  
2       **directly to the program provider. A program provider may use a**  
3       **fee schedule that accommodates families of various financial**  
4       **means.**

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